

## REMARKS

In the office action, claims 27 – 47 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,141,530 (to Rabowsky) in view of U.S. Patent No. 6,698,020 (to Zigmond et al.).

The Rabowsky reference discloses a system for distributing movies in a digital format to a plurality of theatres. The Rabowsky reference also discloses that an automated scheduling system is used to distribute the movies, and that each movie may include a trailer. The trailer, however, appears to be compiled at the central location or “Headend” (Rabowsky, col.12, lines 9 - 16). There is no disclosure in the Rabowsky reference regarding how the trailer is compiled at the Headend. The Rabowsky reference also states that a theatre operator may make modifications to the schedule (Rabowsky, col.12, lines 17 - 28).

With regard to claim 27, the Rabowsky reference does not disclose an automated scheduling system that selects a plurality of selected actual movie showings associated with a plurality of selected job requests to determine a schedule associated with each selected actual movie showing.

The Zigmond et al. reference discloses an advertising insertion system for selecting and inserting advertisements into a video programming feed at households. A stated objective of the system is to provide improved targeting of television advertisements (col.3, lines 58 – 61), and the system provides that targeted ads are selected and inserted into a video programming feed at each of a plurality of different households. The selection of ads is responsive to viewer and system information, and the viewer and system information is disclosed to be initially provided by voluntary survey or questionnaires (col.10, lines 35 – 40) asking, for example, about a viewer’s hobbies, interests, spending habits and anticipated major purchases (col.10, lines 61 – 63). This information is supplemented on an on-going basis as further information relating to

viewing habits (including channel changes and optional feedback on ads) is recorded (col.10, lines 43 – 45).

The Zigmond et al. reference, therefore, seeks to achieve targeted advertising on a household basis using fairly invasive data collection techniques. Moreover, the ads that are selected in the Zigmond et al. reference are placed into a pre-existing video feed at specific open locations.

The present invention is directed to a system and method that achieves targeting of a large number of people using non-invasive techniques. Moreover, the present invention provides that a schedule of advertisements is developed, and that accurate exposure data is developed regarding the number of people exposed to each ad. In particular, amended claims 27 and 38 state that the system includes an automated selection means that seeks to fill a schedule of advertisements associated with each selected actual movie showing, and that the system does not receive personal information from each audience member, yet further provides that exposure data is generated that is indicative of the number of people that viewed each schedule of advertisements. Amended claim 43 states that the method includes the step of processing the common interest data and the data representative of advertising schedule requests using a computer processing system to seek to fill a schedule for each of the plurality of actual movie showings, and further states that the method does involve receiving personal information from each audience member, yet further provides that exposure data is generated that is indicative of the number of people that viewed each schedule of advertisements.

Applicant further submits that these features of the claims are not taught or suggested by any combination of the references. There is no disclosure in either of the Rabowsky reference or the Zigmond et al. reference of a system and method for seeking to fill a schedule of a plurality of advertisements based on non-invasively obtained targeting criteria. The fact that the present

invention obtains more effective targeting to larger audiences than the system of Zigmond et al. does not cause the Zigmond et al. reference to render the claimed subject matter obvious.

Each of claims 28 – 29 and 31 – 37 depends directly or indirectly from claim 27 and further limits the subject matter thereof. Each of claims 39 – 40 and 42 depends directly or indirectly from claim 38 and further limits the subject matter thereof. Each of claims 44 and 46 – 47 depends directly or indirectly from claim 43 and further limits the subject matter thereof.

Applicant respectfully submits, therefore, that each of claims 27 - 29, 31 – 44, and 46 - 47 is in condition for allowance. Favorable action consistent with the above is respectfully requested.

Respectfully submitted,



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